JAN 2-4 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Ashkenazi, et al.

Docket No.:

39780-2730P1C42

Serial No .:

09/997,666

Group Art Unit:

1647

Filing Date:

November 15, 2001

Examiner:

Deberry, Regina

For:

SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND

NUCLEIC ACIDS ENCODING THE SAME

Express Mail Label No.: EL 977 611 388 US

Mailing Date: January 18, 2005

NOTICE OF APPEAL

Mail Stop AF

Commissioner for Patent P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated September 16, 2004 of the Primary Examiner finally rejecting Claims 119-131. The item(s) marked below are appropriate:

X Filing Fee:

\$250.00 (small entity)

\$500.00 (large entity)

X Time Extension Fee (if applicable):

> \boxtimes one-month (\$120.00/large entity)

The Commissioner is authorized to charge filing fee, additional fees or credit \boxtimes overpayment to Deposit Account No. 08-1641 (39780-2730P1C42).

Date: January 18, 2005

01/25/2005 CNGUYEN 00000020 081641 09997666

Ginger R. Dreger, Esq.

01 FC:1401 500.00 DA

02 FC:1251

120.00 DA

Reg. No. 33,055

HELLER EHRMAN WHITE & McAULIFFE LLP

Customer No. 35489 275 Middlefield Road

Menlo Park, California 94025 Telephone: (650) 324-7000 Facsimile: (650) 324-0638